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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/820,451	04/07/2004	Philip A. Lessard	MTV-076.01

CONFIRMATION NO. 7154

## FORMALITIES LETTER



\*OC000000013510671\*

25181

FOLEY HOAG, LLP

PATENT GROUP, WORLD TRADE CENTER WEST

155 SEAPORT BLVD

BOSTON, MA 02110

Date Mailed: 08/11/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/18/2005 MMEKONEN 00000016 10820451

01 FC:1001 790.00 DP  
 02 FC:1051 130.00 DP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May

15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

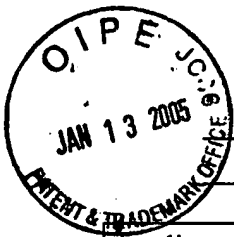
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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lessard, P.A. et al.	Examiner: Not Yet Assigned
Application Serial No.: 10/820,451	Art Unit: 1636
Filed: April 7, 2004	Atty. Docket No.: MTV-076.01
Title: <i>Novel Compositions and Methods for Genetic Manipulation of Rhodococcus Bacteria</i>	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate of Mailing**

I hereby certify that this communication is being deposited with the U.S. Postal Service as First Class Mail with sufficient postage on the date set forth below in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 11, 2005  
Date of Signature and Mail Deposit

By: Shirine Darvish  
Shirine Darvish

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Sir:

Enclosed is a check in the amount of \$1,940.00 for the above-identified application. This check covers the Large Entity fee for a three-month extension of time (\$1,020.00), filing fee (\$790.00), and late oath or declaration surcharge (\$130.00). Also enclosed is a copy of the Notice to File Missing Parts.

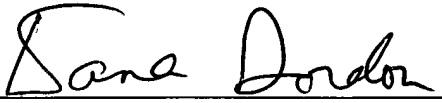
Also enclosed are: Petition for 3-Month Extension of Time (1 page); Executed Declaration for Patent Application (2 pages); Preliminary Amendment (6 pages); Paper copy of Sequence Listing (7 pages); Statement to Support Filing and Submission of Sequence Listing (1 page); Computer-readable copy of Sequence Listing on diskette; Corrected Claims pages of Specification (pages 78-79b) (3 pages); and a return-receipt postcard.

Although we believe that we have submitted the correct amount to cover the above-listed items, the Commissioner is authorized to credit any overpayment or charge any deficiencies to our Deposit Account No. **06-1448, Ref. MTV-076.01.**

Date: January 11, 2005

**Customer No: 25181**  
Patent Group  
Foley Hoag LLP  
155 Seaport Blvd.  
Boston, MA 02210-2600

Respectfully Submitted,

By: 

Dana M. Gordon, Ph.D.  
Attorney for Applicants  
Reg. No.: 44,719